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FISCAL IMPACT REPORT

SPONSOR Wirth ORIGINAL DATE 1/27/2005
LAST UPDATED 1/27/06 HB 417
SHORT TITLE 1st Judicial Staff Attorney SB _____
ANALYST McSherry

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	\$103.4	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

House Bill 417 is a companion bill to Senate Bill 304 and duplicates the HAFC recommendation for the General Appropriation Act.

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

House Bill 417, appropriates \$103,400 from the general fund to the first judicial district court for the purpose of funding a full-time associate staff attorney.

FISCAL IMPLICATIONS

The appropriation of \$103,400 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2007 shall revert to the general fund.

SIGNIFICANT ISSUES

The funds for this purpose were recommended to be added to the LFC recommendation during HAFC.

According to the staffing study, when all 1st Judicial District employees are considered, the district is more than 100 percent fully staffed (see attached).

The judiciary's interpretation of the staffing study results in the 1st Judicial district with a 94.4 percent staffing level; this interpretation does not count all the court's employees (see attached).

PERFORMANCE IMPLICATIONS

A staff attorney would assist the 1st Judicial District in research for complex cases and likely would lessen the workload per case for the District's judges.

ADMINISTRATIVE IMPLICATIONS

Additional personnel increase the administrative workload of both the court and AOC.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 417 is a companion bill to Senate Bill 304 and duplicates an appropriation included in the HAFC recommendation for the agency.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The 1st Judicial District will likely still gain a staff attorney because it was the court's first priority "add" in HAFC.

POSSIBLE QUESTIONS

1. What size should a court be before gaining a staff attorney? Is there a staff attorney/caseload ideal ratio? Does any court in the state meet this ratio? What district has the best attorney/caseload ratio and what is the ratio?
2. What other districts would qualify for a staff attorney under the ratio of staff attorney/caseload that the 1st District would have with the proposed addition?

EM/mt